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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 09/502,984 | 02/11/2000 | Peizhi Luo | A-68126-1/RFT/RMS/SJR | 5952 |

7590 12/31/2002
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Albright & Herbert LLP
four Embarcadero Center Suite 3400
San Francisco, CA 94111-4187

EXAMINER

ZARA, JANE J

| ART UNIT | PAPER NUMBER |
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1635

DATE MAILED: 12/31/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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*Please
See
Attached*

Art Unit: 1635

Attachment

The reply filed on October 15, 2002 is not fully responsive to the prior Restriction Requirement because of the following omission(s) or matter(s): The election of SEQ ID NO: 37 does not constitute election of a single nucleotide sequence to examine, but instead comprises a myriad of amino acid substitutions embodied in claim 31, which depends from claim 20, which embodies amino acid substitutions from 5 different regions of EPO-R. If Applicant is electing a single SEQ ID embodied in SEQ ID NO: 37, and this sequence embodies the amino acid substitutions that are either limited to the D1/D2 domains, or a subset of them, please provide appropriate clarification. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Art Unit: 1635

Conclusion

Certain papers related to this application may be submitted to Art Unit 1635 by facsimile transmission. The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The official fax telephone numbers for the Group are (703) 308-4242 and (703) 305-3014. NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. **NO DUPLICATE COPIES SHOULD BE SUBMITTED** so as to avoid the processing of duplicate papers in the Office.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jane Zara** whose telephone number is **(703) 306-5820**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John LeGuyader, can be reached on (703) 308-0447. Any inquiry regarding this application should be directed to the patent analyst, Katrina Turner, whose telephone number is (703) 305-3413. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

JZ

December 29, 2002


KAREN LACOURCIERE
PATENT EXAMINER